



**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

**SUSTAINED BIOACTIVE AGENT DELIVERY DEVICE AND METHODS OF MAKING
AND USING THE SAME**

the specification of which was filed on November 13, 2001, as United States non-provisional application U.S.S.N. 10/008,340, bearing Attorney Docket No. 22493-501 (Symb-1).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. (U.S.S.N.)	Filing Date (dd/mm/yy)	Status (Patented, Pending, Abandoned)
60/248,113	13/11/2000	Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
Kevin Ainsworth	39,586	Shane Hunter	41,858
Ingrid Beattie	42,306	David E. Johnson	41,874
William Belanger	40,509	Christina Karnakis	45,899
Charles E. Bell	48,128	Kristin E. Konzak	44,848
Naomi Biswas	38,384	Cynthia Kozakiewicz	42,764
Bradford C. Blaise	47,429	Barry J. Marenberg	40,715
Sean M. Coughlin	48,593	Scott D. Miller	43,803
David F. Crosby	36,400	A. Jason Mirabito	28,161
Christopher J. Cuneo	42,450	Michel Morency	50,183
Brett N. Dorny	35,860	Carol H. Peters	45,010
Marianne Downing	42,870	Matthew Pavao	50,572
Ivor R. Elrifi	39,529	David Poirier	43,007
Heidi A. Erlacher	45,409	Michael Renaud	44,299
John M. Garvey	37,833	Brian Rosenbloom	41,276
James G. Gatto	32,694	Robert J. Sayre	42,124
Richard Gervase	46,725	C. Eric Schulman	43,350
Matthew J. Golden	35,161	Gregory J. Sieczkiewicz	48,223
Sonia K. Guterman	44,729	Thomas M. Sullivan	39,392
John A. Harre	37,345	Janine Susan	46,119
Brian P. Hopkins	42,669	Nicholas P. Triano III	36,397
		Howard Susser	33,556

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Please address all telephone calls to Ivor R. Elrifi at telephone number 617/348-1747. Please address all correspondence to:

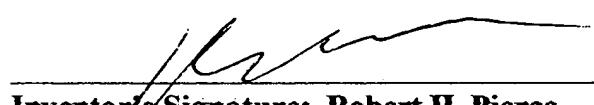
Ivor R. Elrifi
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Applicant(s): Kurtis
Attorney Docket: 22493-501

Inventor's Signature: Jonathan David Kurtis
Full Name of Inventor: Jonathan David Kurtis
Citizenship: United States
Residence: 66 George St, Norwood, MA 02062
Post Office Address: Same

Date


Inventor's Signature: Robert H. Pierce
Full Name of Inventor: Robert Hamilton Pierce
Citizenship: United States
Residence: 71 North Main Street, Pittsford, NY 14534
Post Office Address: Same

13 March, 2002

Date

TRA 1594448v2



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Attorney Docket: 22493-501

Jonathan David Kurtis

Inventor's Signature: Jonathan David Kurtis
Full Name of Inventor: Jonathan David Kurtis
Citizenship: United States
Residence: 66 George St, Norwood, MA 02062
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12 March 02

Date

Inventor's Signature: Robert H. Pierce
Full Name of Inventor: Robert H. Pierce
Citizenship: United States
Residence: 71 North Main Street, Pittsford, NY 04534
Post Office Address: Same

Date

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